

OFFICE OF WORKFORCE PLANNING (OWP)

Layoff Resources for Non-Peace Officer Classifications

Wave 4 Frequently Asked Questions and Overview

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SENIORITY INFORMATION

Seniority Calculations

Seniority calculations form the basis for all processes involved with staffing reductions, including up-front mitigation, the Voluntary Transfer Process (VTP), the placement process, layoff, and re-employment.

What is used to calculate seniority scores, and how are military credits calculated in seniority points?

CDCR uses the Department of Human Resources (CalHR), formerly known as the Department of Personnel Administration (DPA), rules and bargaining unit contract language for calculating seniority.

For the purpose of calculating seniority scores, an employee is given credit for each month of full-time State service (must have worked 11 days in the pay period). In the case of less than full-time service, a fraction of the full-time rate will be prorated based on the employee's time base. This provision applies to State civil service employees, except those assigned to Bargaining Unit (BU) 6 and BU 13, where the contract specifies seniority credit computation. Also, if information is provided and approved, the seniority score will reflect credit for qualifying exempt service and points for qualifying prior military service. Exempt service includes some positions in the California State University (CSU) system, the University of California system, the Judicial Branch of California government, the Legislature, and others. Qualifying experience is determined solely by the exempt agency, which provides this information to the OWP. CalHR, under DPA Rule 599.841, explains that only exempt service which can be *fully verified from official records* can count toward your total State service or seniority score.

<p><u>For all employees, including all supervisors and managers, except Units 6 and 13</u></p>

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|--|
| <ul style="list-style-type: none"> • Total Qualifying State service • Qualifying Military Service • Qualifying Exempt Service |
|--|

<p><u>R13 contract provision</u></p>

- | |
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| <ul style="list-style-type: none"> • Unit 13 seniority is defined as time worked in BU13 Classifications • Qualifying Military Service |
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<p><u>Note that this applies only to BU 13 employees who are currently rank and file</u></p>
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- Military points: The criteria for the awarding of military points are defined by CalHR; please refer to the DPA Layoff Manual Section 400. Certain campaigns and expeditionary missions qualify for state service credit, provided that other criteria are also met. A maximum of 12 seniority points are awarded to employees who qualify. Please note that qualifying military service is used only for layoff or placement purposes. Additional information on how OWP applies military points

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can be found here: <http://www.cdcr.ca.gov/layoffresources/docs/Military-Service-Information.pdf>

- Limited-term credits: For the purpose of calculating seniority scores, employees in a limited-term appointment:
 - Without prior permanent status, receive no seniority points for their months of service. However, if an employee is appointed to a permanent full-time position subsequent to the initial limited-term appointment with no break in service, the employee is given credit for the time worked as limited-term as long as the employee qualified for a seniority point based on the criteria as outlined above. LT employees receive credit for qualifying military service upon attaining permanent status.
 - With prior permanent status, continue to receive state seniority points for their months of service.
- Permanent Intermittent credits: Any pay period in which an intermittent employee works less than the required hours identified in the specific contract shall be considered a non-qualifying pay period; and such hours shall not be counted or accumulated. For non-BU 6 employees: one seniority point shall be credited for every 160 hours worked in a pay period by non-BU 6 intermittent employees.

Does my time served in an exempt classification count?

Certain verified positions working for the Legislature, Judicial Branch, State universities and colleges and the University of California may qualify for exempt credit. All work experience must be recognized and verified by the exempt institution for which the employee worked before seniority scores can be modified. CDCR does not decide which kind of work qualifies. The determination of whether the position qualified and the number of points that should be awarded is made by the exempt institution.

What specifically constitutes qualifying exempt service?

- An exempt employee working under the Executive Branch of California government.
- An officer or employee of the Legislature, either house, or a legislative committee. "Officer or employee," signifies all *permanent* employees of the California Legislature.
- An officer or employee of a council, commission, or public corporation in the Judicial Branch of California government.
- An employee of a court of record or another officer employed directly by the Judicial Branch of California government.
- An officer or employee of the University of California (UC) or California State University (CSU). The designation "officer or employee" refers to anyone

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employed directly by either UC or CSU, with the following exceptions: UC student employees who work less than one-half time are not included, nor are CSU student employees (regardless of time base). Also, CalHR does not count CSU employees who were “special pay” appointments.

- A teacher or member of the teaching staff in a school under the jurisdiction of the Department of Education or the Superintendent of Public Instruction (in other words, you were employed by one of California's six State Special Schools).
- A member of the National Guard engaged in military service while employed by the California Department of the Military.
- An officer or employee of a District Agricultural Association, if you were employed less than six months in a calendar year.

If you believe your score to be incorrect, please fill out a discrepancy form and submit it to OWP by the due date provided on the document transmitting your score. FAQs related to the discrepancy period are provided in the following section.

How will the preliminary seniority list by county be made available to all staff prior to the layoffs?

Preliminary and Final Scores are posted on the Intranet and various locations within your institution, facility and/or program (i.e.: Personnel Office, Main Entrance, Sally Ports, etc).

What if my score is tied with someone else who is impacted?

In the event you share the same seniority score with an individual in your classification and area of layoff, a tie breaker is utilized in accordance with your Labor Organization's Memorandum of Understanding (MOU), Bargaining Unit contract, CalHR (DPA) Layoff Manual and Government Code 19997.7. MOUs can be found at <http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx>.

Bargaining Unit contracts can be found at <http://layoffs.insidecdcr.ca.gov/labor-agreements/>. The CalHR (DPA) Layoff Manual can be viewed at <http://www.cdcr.ca.gov/layoffresources/docs/DPA-Layoff-Manual.pdf>.

In general, for most employees other than R06, tie breaks are determined in the following order:

- 1) Veteran
- 2) Greatest amount of service in class of layoff or in a class at substantially the same or higher salary level as the class of layoff;
- 3) Employee who has served in the class that has the highest maximum salary rate;
- 4) Earliest appointment date for service credit under the provisions of Government Code Section 19997.3;
- 5) Highest total State service (CalHR (DPA) Rule 599.739);
- 6) Earliest appointment date under provision of CalHR (DPA) Rule 599.739; and
- 7) Lottery

What is the seniority score needed to avoid layoff?

Until the reductions and their effects are known, there is no specific number of years or seniority score that can be identified to determine if an individual ultimately will be impacted. The specific methodology for determining the reductions is unique to each layoff plan. For Wave 4, Non-Peace Officer employees will be impacted based on a 3:1 ratio.

Discrepancies

How long do I have once I receive my score to submit a discrepancy form?

The challenge period for Wave 4 has closed. In keeping with the layoff timelines, the outcome of challenges submitted after the due date will not be reflected in the current wave.

If I submit a discrepancy form outside of the timeline, what happens?

If a discrepancy form is received after the deadline or is received outside of a challenge period, the discrepancy will be processed; however, if an employee is impacted by the current wave, the updated score will not be utilized since the discrepancy was filed outside of the allotted timeframe. This is in accordance with Labor Organization Side Letter Agreements, which can be found at <http://layoffs.insidecdcr.ca.gov/labor-agreements/>.

Once I submit my State Service Discrepancy Form to OWP how will I know it was received and when will I receive my results?

Employees will receive written notification of the status of their discrepancy form once the review has been completed. Discrepancy forms submitted for current layoff plans will be reviewed and processed on a priority basis. However, late discrepancy forms or all other discrepancy forms not related to the current layoff plan will be reviewed on a flow basis.

MOVEMENT OUTSIDE OF THE LAYOFF PROCESS

Mitigation

What is Mitigation?

Mitigation is a process that OWP uses in the beginning of each Wave to reduce or eliminate the impact of staffing reductions on impacted classifications within the area of layoff. OWP identifies classifications subject to layoff by location, the vacancies within a 50-mile radius and redirects staff into the vacancies to alleviate the impact on a specific classification within a specific county. If there are sufficient vacancies in the impacted classification, this may preclude the need for or reduce the magnitude of the layoff.

If I am redirected prior to the layoff process, can I still participate in the Voluntary Transfer Process (VTP) later?

Yes, if your classification becomes subject to the VTP in your new location and there are vacancies for your classification within CDCR, you will be afforded the opportunity to participate in the VTP.

Can I be transferred outside of my current county?

Yes. Based on the current vacancies and current work location, employees may be transferred up to 50 miles. This could result in a transfer to a different county.

Voluntary Transfer Process (VTP)

What is the VTP?

CDCR will provide employees in classifications facing layoff an opportunity to voluntarily transfer into a vacancy in their current classifications in accordance with the Realignment Side Letter Agreements between CDCR and the various labor organizations. This voluntary process is called the Voluntary Transfer Process (VTP) for all rank-and-file, supervisory, and managerial classifications, **except** R06, S06, and M06. The process for all Peace Officer classifications is called the Statewide Bid Process.

The VTP will be offered to employees who are currently in overage classifications (overstaffed in their classification at their location) and allows them to use their seniority to voluntarily transfer into any available vacancy within their classification statewide, thereby taking action they believe may benefit them. CDCR publishes the "Over/Under Report," available on the OWP website, to provide information to impacted staff about projected reductions and current vacancies by location and classification. Employees are provided with this and other information, such as seniority scores, to help them determine whether to participate in the VTP and to help choose options. Each employee may choose whether or not to participate. However, if an employee elects to participate and is awarded a position, the employee is required to report. **The employee's election to participate is binding and non-revocable.**

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Please view your Bargaining Unit's Side Letter Agreement for further specific information about the VTP: <http://layoffs.insidecdcr.ca.gov/labor-agreements/>.

Isn't the VTP just another name for the layoff process?

No, they are separate and distinct processes. The VTP occurs OUTSIDE the layoff process and is the result of Side Letter Agreements with the various labor organizations. The VTP allows an employee in an impacted classification the ability to bid to move into what the employee determines is a more secure position. The layoff process is dictated by Department of Human Resources (CalHR) (formerly known as the Department of Personnel Administration (DPA)) rules. The VTP and layoff process operate under different rules and timeframes for employee responses. Some major differences between the two are:

- Through the VTP, an employee can elect to transfer only into a vacancy in his or her **current classification**. Alternatively, during the layoff process primary and personal demotional patterns are considered.
- The VTP offers vacancies statewide; the layoff process offers only in-county options.
- There is no bumping in the VTP; the layoff process allows for bumping within the county based on seniority, provided there are no vacancies remaining in the classification in the specified county.

Participation in the VTP does not guarantee that an employee will no longer be impacted in this process. Depending upon demotional bumping and one's statewide seniority within an impacted county, an employee with low seniority within that county still could be laid off at the conclusion of the layoff process and/or permanently involuntarily transferred within an impacted county.

Please remember that the VTP and the layoff process are separate and distinct and require you to respond to each separately. Note that the VTP may overlap during certain waves.

What are the VTP parameters and who is eligible to participate?

In general, all rank-and-file, supervisory and managerial staff employees whose current classification(s) are overstaffed at their locations may be eligible to participate. Eligible employees will be offered an opportunity to voluntarily transfer to an available vacancy in another location, based on seniority. The VTP selections document sent to employees eligible to participate will provide a list of vacancies statewide for which they can apply. The classifications involved in the process may change in each wave, depending on the overstaffed classifications.

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Employees can participate only once in the VTP during any particular wave. No relocation expenses will be paid for transfers or placements that occur as a result of a wave. However, please refer to your specific bargaining unit's Side Letter Agreement for information about per diem payments. Excluded employees can find more information by referring to Pay Differential 395 located at <http://layoffs.insidecdcr.ca.gov>.

Please refer to your particular bargaining unit contract for details about your MOU and Side Letter Agreement. Additionally, you may view our website for information regarding Labor Agreements (<http://layoffs.insidecdcr.ca.gov/labor-agreements/>).

Since the VTP is voluntary, must I send back the form even if I'm not interested?

Yes. We encourage all employees to return their VTP worksheet. You must "opt in or out" on the VTP Selection worksheet. If you choose to "opt in," you must indicate your interest in available vacancies and rank your selections in order of preference on the worksheet. Please note, if you **do not** submit your worksheet by the due date, it will be considered as "opting out" of the VTP process.

How do I go about participating in the VTP?

Employees eligible to participate in the VTP will receive a worksheet that includes any options they may have for transfer. **The VTP is purely voluntary, but if an individual participates and is awarded a transfer, the transfer is binding and irrevocable.**

Last time, I opted out of the VTP, but I went through the options and ranked the vacancies in case OWP needed that information later in the layoff process. What happens in Wave 4 if I select to opt out, but rank the vacancies?

In Wave 4, if an employee chooses to **opt out** of the VTP, he or she **must not** choose or rank any of the vacancies provided. If you check the "opt out" box and then you complete the additional pages, ranking your preferences, you will not be considered as opting out, and may be awarded a VTP location based on your choices and your seniority.

Can I transfer more than once?

Yes, transfers are unlimited as long as all other laws and rules allow the transfer.

The new class must be substantially the same in duties, responsibilities, and salary (not to exceed +9.9%) from the highest permanent or probationary appointment you received through the examination or equivalent process. However, the transfer must be to a different class series:

- Duties/Responsibilities = entry level to entry level **or** journey level to journey level, **or** supervisory level to supervisory level, etc.

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- Salary = we use the employee's maximum salary rate of his or her status (permanent or probationary) class and multiply it by 5% (round) and multiply the rounded rate by 5% (round) and subtract a dollar to arrive at the maximum salary to which an employee can transfer.

Please check with your Institutional Personnel Officer or the Office of Personnel Services if you have any additional questions.

Per Diem

Who is eligible for Per Diem?

A CDCR employee working in a county with any overages in that employee's designated classification who transfers voluntarily through the VTP process to a position that is more than 50 miles from his or her current institution/work location is eligible to receive a one-time payment. Excluded employees can find more information by referring to Pay Differential 395 located at <http://layoffs.insidecdcr.ca.gov>.

How much will my Per Diem award be?

Per Diem award will be based on your current BU and your awarded location.

How many times can I receive Per Diem per Wave?

An employee can receive a maximum of one per diem award per wave. Depending upon your Side Letter Agreement, it may be split into two payments.

How is the Per Diem taxed?

Per Diem for the VTP is taxed at a 25 percent tax rate.

Who should I contact regarding my Per Diem payment?

Contact your Personnel Office.

What happens when an employee receives per diem and then transfers to another agency before his or her reporting date?

Employees and personnel staff are required to notify their awarded institution or facility and Office of Personnel Services if the employee's status changes prior to the assigned reporting date to the awarded institution.

LAYOFF

Based on an employee's classification, work location and seniority score, an individual may be subject to layoff during times of workforce reductions. For Wave 4, impacted staff will be identified based on a 3-to-1. For example, if the department is reducing 5 positions in a classification, in an identified area, then 15 staff will be impacted. This process ensures that all employees who could potentially be affected by the layoff are afforded the maximum opportunity to retain State employment by redirection, Voluntary Transfer Process (VTP), or as part of the State Restriction of Appointments (SROA) and placement processes.

General

Do all vacant positions have to be filled before a layoff can start?

No, vacancies are utilized to mitigate the need for layoff through the Voluntary Transfer Process (VTP) and placement processes.

Will the layoffs be conducted by region?

No. In accordance with Realignment Agreements between CDCR and the labor organizations, the area of layoff is by county.

If laid off, are employees eligible to collect unemployment, and if so, for how long?

The Employment Development Department determines any eligibility for unemployment benefits. Contact information can be accessed at <http://www.edd.ca.gov/>.

State Restriction of Appointments (SROA)

After Department of Human Resources (CalHR), formerly known as Department of Personnel Administration (DPA), approves the layoff plan, CDCR will move forward with the issuance of the SROA/Surplus notices to individuals identified as being impacted, based on their area of layoff, classification, and seniority score. All potentially impacted employees will be mailed a SROA/Surplus notification informing them that they are impacted under a departmental layoff plan and that they are being placed on SROA for a minimum of 120 days.

The approach taken in identifying impacted staff may vary for each plan for multiple reasons including, the numbers of impacted staff and the size of the downsizing organization. Generally, for each class designated as surplus, three (3) employees per at-risk position will be placed on SROA and surplus status, but the ratio can be greater. Exceptions to the ratio method may be made with CalHR approval. The calculation of total State service and seniority scores is used for ensuring the appropriate number of lower seniority employees receive SROA/Surplus status.

What is the SROA program?

The SROA Program was developed to assist surplus employees in finding jobs with other State agencies and making experienced employees available to other agencies with vacant positions. SROA notices will be issued to all potentially impacted employees.

Placement on SROA is limited by CalHR, DPA Rule 599.854.1, to those employees who may actually be subject to layoff or demotion in lieu of layoff. SROA eligibility is granted for a minimum of 120 calendar days.

How does SROA work?

An employee is normally placed on the SROA list for the class in which he/she is impacted. Typically, up to three employees per position being abolished are approved for SROA. They are generally the three least-senior permanent employees in the class. Appointments to classes on these lists are restricted (e.g., new hires, voluntary demotions, and permissive reinstatements). Hiring programs can opt out of a certification list to make an appointment. However, if a certification list is used, the SROA list of surplus employees must be used and cleared before an appointing power may use other means of filling a vacant position for the restricted class.

What is the difference between SROA and Surplus Status?

Once CDCR determines which individuals are impacted by any given layoff plan, CalHR designates that classification as Surplus within an area of layoff. Classifications are designated as Surplus when a department has more employees in that classification in an area of layoff than it has vacancies. Surplus designation is the first step in obtaining SROA status for affected employees.

At the same time that a *classification* is designed as Surplus, the impacted individuals in that classification receive an SROA designation. The SROA process provides an alternative to layoff as it restricts the methods of appointment available to appointing powers to give employees in jeopardy of layoff an opportunity to retain State employment.

What benefit do I receive by being on SROA/Surplus status?

SROA status gives employees hiring preference. If you are placed on SROA/Surplus status, you are encouraged to apply for any position for which you meet the minimum qualifications, experience, and have transfer eligibility.

What should I do now that I have received my SROA notice?

It is **imperative** that you maintain a copy of your SROA notice as you may be asked to produce a copy of it by some hiring agencies (you may even opt to include it your state

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application package). Due to the number of SROA notices mailed out by the Department, OWP will not supply replacement copies.

Apply for jobs for which you feel qualified. You may utilize the Vacancy Search page on the CalHR website (<http://www.jobs.ca.gov/>) to help find vacancies. Although you will receive some job interest notices from hiring agencies, do not rely solely on those notices. It's always best to do your own job search, in addition to responding to contacts you may receive from other sources.

To ensure you receive job inquiries it is critical that you keep your address of record up to date. If your address and/or phone number are not correct, submit an Employee Action Request to your Personnel Office right away.

I am working in a classification that is used only by the Department of Corrections and Rehabilitation. Therefore, what benefit is there to be on SROA/Surplus status?

Employees who are in classifications that are considered Department Specific may utilize their Surplus status to apply for a position to which they may transfer under the SPB Transfer Rules.

If I receive a contact letter as the result of my SROA status, do I need to respond to the hiring authority?

If you are not interested in a job, you no longer are required to return a contact letter. Employees on a SROA list have unlimited waivers.

If I am SROA/Surplus, will I have to use my own time for interviews?

No. SROA employees should be given "reasonable time off" to go on interviews. Refer to the appropriate Memoranda of Understanding for represented employees. Non-represented employees can refer to Government Code 19991, which allows employees on employment lists to participate in employment interviews during working hours.

I have submitted my SROA notice and application for an opening at another department. Is that department required to interview or hire me?

No, the hiring authority is not required to interview you or hire you. There are exemptions to the SROA hiring policy as outlined in the SROA Manual, which can be found <http://www.calhr.ca.gov/Documents/sroa-manual.pdf>.

Why did I receive an SROA/Surplus letter when the person I work with has less seniority than I, and did not receive a letter?

Each individual's employment history is used to calculate seniority, and there are numerous factors that are taken into consideration when calculating seniority scores. For example, an individual may have qualifying military points and/or exempt time that has been applied to his or her seniority score.

What is Super SROA and who qualifies for it?

Super SROA is similar to the SROA process described above but yet pertains to employees in Bargaining Units (BU) 2, 9, and 10. In accordance with MOUs between the State and BU 2, 9, and 10, employees who are facing layoff, demotion in-lieu-of layoff, or mandatory geographic transfer, qualify for the provisions of Super SROA.

How do I utilize my Super SROA status?

You will be provided a notice via the United States Postal Service and e-mail which will contain a copy of your certification letter. When a position is being filled, if he/she meets the following three criteria:

- Works in any county touching the county in which the BU 2, 9, or 10 vacancies exists.
- Is in a BU 2, 9, or 10 classifications whose salary and responsibility levels are within transfer range of the vacancy and is eligible to transfer to the position being filled.
- Meets the MQs of the position being filled. Only those requirements specifically included in the MQs on the class specification may be considered to exclude an applicant from consideration.

Placement

Since layoffs are being conducted by county, can a person in one county lose his job while a person with lower seniority in another county keeps his or hers?

Yes, that is possible. Given that layoffs are based on the classification and seniority within the area of layoff, it is possible that some employees with lower seniority scores may remain employed in areas outside of the area of layoff. However, in accordance with the Realignment Side Letter Agreements between CDCR and the various labor organizations, CDCR will provide employees in classifications facing layoff with an opportunity to voluntarily transfer into vacancies within their current classification statewide.

What options do employees get on their Options Worksheet?

Vacancies are offered in any classification in your personal and/or primary demotional pattern in which you served in a permanent or probationary status.

- **Primary Demotional Pattern:** Includes classifications that are in a specific classification's demotional pattern. This is typically within the series of the impacted classification. For example, a Staff Services Manager III can demote to a Staff Services Manager II, which can then demote to a Staff Services Manager I, etc. This is the classification in which you held your most recent permanent

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appointment. The only circumstance where this classification would differ from the classification you are currently serving in is when you are currently serving in a temporary capacity, i.e. Limited Term, on Training and Development assignment, or an acting assignment.

- A Personal Demotional Pattern: Includes classifications which an individual has held on a permanent basis in State service and that are currently utilized by CDCR. This will exclude classifications that are specific to another State agency.
- For individuals with current or prior permanent status: Your Options Packet will identify all available placement options specific to your employment history. This includes permanent vacancies, as well as *permanent positions* filled by limited-term, training and development assignments or Retired Annuitants as these are also considered vacancies for the purpose of placement. You also will be provided the opportunity to bump within the area of layoff provided there are no vacancies for your impacted classification – **AND** your seniority allows you to do so. You will not have the ability to elect the position into which you will bump, as it is based on seniority and you will be awarded the position held by the least-senior staff in the classification within the area of layoff.
- If you have prior permanent State civil service status, but are currently serving in a limited-term appointment: If you are impacted, it will be in your permanent right-of-return position/classification/county providing there was no break in service. For example, you currently work in Sacramento County in a limited-term Associate Governmental Program Analyst position with a right-of-return to a permanent full-time Staff Services Analyst position in San Joaquin County. If you are impacted on a plan, you will be impacted in the Staff Services Analyst position in San Joaquin County, as this is your permanent right of return position.
- For individuals with no current or prior permanent status: For individuals who are currently in limited-term positions with no right-of-return position within CDCR, your limited-term appointment will be terminated in the event the position is needed for placement, and you will return to your previous State department. For individuals with no prior permanent status to a State agency, your limited-term appointment will be terminated and your employment with CDCR will conclude.

Is Parole Services Associate in the primary demotional pattern for Parole Agent?

No, it is not.

What if I don't return my Options Worksheet? Could I be demoted, redirected, or laid off?

Previously, non BU6 employees who did not return their Options Worksheets during the placement process forfeit any choice they otherwise would have had concerning their placement. To the extent possible, OWP staff will attempt to place individuals in their current classification in accordance with their seniority and classification history and

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accordance the employee's Bargaining Unit agreement. All placements are binding. If placement is not possible, the employee may be laid off.

Will vacancies in the prisons, with the Receiver, or other State agencies be offered to staff?

CDCR does not have the ability to offer vacancies within other State agencies. We do work with the Receiver's Office to offer vacancies under the Receiver's authority; however, the Receiver is not required to hire CDCR employees. Therefore, the Receiver's vacancies will not be offered on the Options Worksheet.

Note that as an impacted employee you can utilize SROA/Surplus status to apply for vacancies in other State departments and agencies either in your current classification or in classifications for which you meets the minimum qualifications;

Will staff be offered comparable positions?

Comparable positions will not be offered through the placement process. An impacted employee may use his or her SROA/surplus status to apply for vacancies within CDCR and in other State departments in his or her current classification or for those for which he or she meets the minimum qualifications.

Can an employee who is currently mobilized on military orders, lose his or her job? If so, what options does he or she have?

An employee on military assignment remains part of the layoff process and, as such, receives all notices and correspondences that other impacted employees receive. Those notices are sent to the address of record. Dependent upon the seniority score, it is possible that an impacted employee on military assignment could be laid off. However, please remember, those employees will receive information about options they may have for other placement as the layoff process progresses. If you are away from home, it may be beneficial to have a system in place so that mail from CDCR is identified quickly and its contents made known to you. You can e-mail OWP Customer Service Unit with questions: CDCROWPHelpDesk@CDCR.ca.gov.

When will I know for certain that I will be laid off or placed?

Impacted employees will receive official notice at least 30 days prior to their layoff date or their report date, whichever is applicable.

I demoted during a prior layoff and was placed on reemployment. Why aren't vacancies in my old classification offered to me on my Options Worksheet?

Due to laws and regulations regarding transfers between classifications, an employee cannot be placed into a classification for which they have re-employment rights. However, if there are vacancies in the classification in question, employees may apply for the position as a reemployment candidate.

I used to be a manager but demoted. Why aren't manager vacancies showing up for me on my Options Worksheet?

Employees can have options to classifications in which they have held previous permanent or probationary status on their options worksheet if the classification is within transfer range of their impacted classification. Transfer rules are outlined by the State Personnel Board (SPB) and require that the position be within 9.9 percent of the maximum salary for the current classification in which the individual is impacted. If the movement would meet the necessary transfer rules, an employee may have rights to it during the layoff process.

Bumping

When completing the Options Worksheet, you also will be given the opportunity to select bumping within the area of layoff as one of your options, if appropriate to your history. **Bumping can occur only within your area of layoff, if there are no vacancies available in the classification after all placements have been made and if your seniority allows.** If you choose bumping and decline available vacancies within that classification/time base and at the time your Options Worksheet is processed, the identified vacancies remain, you cannot bump and may be placed into an available vacancy. The only classifications into which you can elect to bump are your impacted classification and classifications identified in your primary or personal demotional pattern. If you are interested in bumping, please complete the boxes identified for bumping by priority. You will be given the opportunity to select whether you want to bump into a full-time or part-time position and prioritize accordingly. You do not get to select a specific position into which you bump. Instead, you are electing to bump the least-senior impacted employee in that classification within the area of layoff in accordance with your selection. This option will be utilized only if your seniority will allow it and if there are no vacancies available in the classification and the area of layoff at the time of your placement.

Please explain why staff have bumping rights only within a county.

Rules dictating layoffs are established by the Department of Human Resources, formerly known as Department of Personnel Administration (DPA). These rules require that layoffs are based on classification and seniority within the area of layoff, with bumping allowed only *within* that area of layoff and only when no vacancies exist in the subject classification. Since the area of layoff is a county, bumping is allowed only within the county. You can find the DPA rules at <http://www.cdcr.ca.gov/layoffresources/docs/DPA-Layoff-Manual.pdf>.

Can a person be bumped from a permanent appointment?

Yes. An employee with higher seniority may bump an employee with lower seniority if no vacancies exist in the area of layoff and the individual with higher seniority is currently in the classification or the classification is in the employee's personal or primary demotional

pattern. See Primary Demotional Charts at <http://www.cdcr.ca.gov/layoffresources/DPA-Approved-Demotional-Charts.html>.

Benefits

What will happen to my benefits if I am laid off?

Employees who are laid off lose eligibility for their current health, dental, and vision coverage the first of the month following the layoff date. For example, since benefits are paid a month in advance, most employees laid off effective January 10, 2014, would lose benefits effective March 1, 2014. However, employees and their dependents currently enrolled in health, dental, or vision benefits prior to layoff will be eligible to continue their benefits for up to 18 months through COBRA coverage.

Employees should contact their local personnel office or benefits specialist to discuss the impact to their benefit options.

Leave Usage Prior to Layoff

If an employee receives an SROA letter and accepts and begins employment outside of State service as a result of the SROA status, will he/she be paid for accrued Furlough Holiday (FH), and Personal Leave Program (PLP) hours?

Yes. Any time an employee is **NOT** able to use FH or PLP, per CalHR, CDCR has authority to pay unused FH and PLP. Please note that Hiring Authorities should continue to allow the employees to use FH, PLP, when permissible.

Can a supervisor force impacted employees to use the remainder of their FH, PDD, and PLP days in anticipation of being laid off?

Impacted employees will not know for sure if they are being laid off until 30 days prior. Once they have received official notice, supervisors will have to work with the employees to use their time during the last 30 days.

Standardized Staffing

The Standardized Staffing blueprint lists a zero (0) for my classification. What is Standardized Staffing and what does this mean for me?

The Standardized Staffing blueprint will enable the department to operate more efficiently and safely by establishing new and consistent staffing standards for each institution. The staffing patterns are based on specific criteria that take into account specialized missions, such as security housing units and mental health treatment. By redistributing resources, standardized staffing will resolve historical variances. Some of these positions will be eliminated due to the declining offender populations under realignment. Ratio-driven positions such as personnel specialists or inmate trust accounting positions will be

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reduced accordingly. Much of the workload associated with administrative services and operations support is not directly related to the number of offenders or employees. However, a thorough review was conducted of these areas to determine the appropriate resource levels after realignment.

The department will continually evaluate its administrative workload and make adjustments to appropriately align resources based on the level of support needed to adequately serve the department. Standardized staffing does not address medical and custody staff associated with the delivery of medical services as those positions are undergoing a separate review by the Receiver.

A zero in the classification column indicates that there will no longer be positions allocated in that classification. Individuals in that classification may be impacted by a layoff plan, based on an employee's classification, work location and seniority score. For Wave 4, impacted staff will be identified based on a 3-to-1 ratio.

Reemployment

What is reemployment?

Reemployment is a program designed to give employees preferential-hire status back into the classification from which they were laid off or demoted.

An employee who is laid off or elects to demote in lieu of layoff may be placed on the appropriate reemployment list for the classification from which the employee was laid off or demoted. In addition, appropriate reemployment list eligibility may be provided for all classes through which the employee was given demotional rights during layoff, if applicable. Employees appear in seniority order on all reemployment lists.

How long is reemployment eligibility?

Reemployment eligibility is good for a maximum of five (5) years or until the eligible employee receives a permanent full-time list appointment to the classification they were laid off from or demoted through, whichever comes first.

Are there exceptions to reemployment?

If a certification list is being used to make a hire, there are no exceptions to reemployment. However, hiring programs have the option whether to use a certification list to make a hire. If the choice is made not to use a certification list (e.g., same classification lateral transfer, mandatory reinstatement, etc.) then reemployment does not need to be cleared.

Prior to the layoff date, I used my SROA status to secure employment before I was laid off. Do I still get reemployment?

Although employees who receive an SROA notice are encouraged to apply for positions for which they are qualified, securing employment prior to demotion, redirection, or lay off removes the employee from the process; thereby making them ineligible to receive re-employment.

What is the difference between Departmental reemployment and General reemployment?

Departmental reemployment represents CDCR employees impacted by placement and/or layoff. This type of list takes precedence over all other lists. The first interested individual on the list must be selected (Rule of One Name). This means, if the hiring organization is using a promotional list to make a hire, the hiring program cannot move to the next name or to any other list until the interested eligible is hired or the person waives (i.e., is not interested in the position).

General reemployment represents non-CDCR employees who have been impacted by placement and/or layoff. The three highest names on the list shall be certified for employment (Rule of Three Names). The hiring program may choose from any of the three interested eligibles. If there are only two names of interested eligibles on a General Re-employment list, a hiring program can move down to the next rank on the list to make a hire.

Are all classifications impacted by reemployment?

No. An updated listing of CDCR Departmental reemployment classifications can be found on the Intranet, CDCR Layoff Resources. Unfortunately, there is not a listing that captures all General reemployment (other State departments) classifications impacted.

Will an employee on the reemployment list have rehire opportunities only in their region or statewide?

Initially, an employee is put on a reemployment list with a location code of the county where they were laid off, however additional locations may be chosen later.

A department is trying to contact reemployment eligible employees by telephone. How long must prospective employees be given to respond?

Although this method of contacting reemployment eligible employees is not recommended, departments must allow two (2) full work days following the date of contact. If the reemployment eligibles do not respond, departments must document that using a CDC1237 "Waiver" form. For HQ and DAPO programs to obtain approval to use the phone contact process for reemployment eligible employees, they must obtain the approval of the Chief of the Office of Workforce Planning.

Does reemployment have to be cleared before an organization can place an employee on an out-of-class assignment?

Out-of-class assignments should be utilized only while organizations are attempting to fill a position through the normal hiring process. As such, the hiring organization does not have to clear reemployment for an out-class-assignment; however, the hiring organization will have to clear reemployment later when making a permanent full-time or limited-term hire if a certification listing has been ordered.

Are reemployment eligible employees to be hired on a limited-term or permanent basis?

Due to upcoming reductions in the Department, CDCR is hiring reemployment eligible employees on a limited-term (LT) basis if the classification will be affected in an upcoming layoff plan and is allowing permanent full-time (PFT) hiring when the classification is not immediately impacted. Both types of hires must be approved through the normal freeze-exemption process. It should be noted that if a reemployment eligible is hired LT, he or she remains on the re-employment list to be eligible to be hired PFT.

If a Departmental reemployment eligible is interested in a position that is limited term only, can an organization hire him or her limited term?

Yes, provided the hiring authority wants to proceed. Eligible employees must make the decision whether to accept such an appointment. In this case, the Departmental reemployment eligible would remain on the list for further contacts for both limited term and permanent full time.

Is a new certification list required if a program needs to extend an existing 12-month limited-term appointment for an additional 12 months and must reemployment be cleared?

A new certification list is not required for purposes of extending the 12-month limited-term appointment. However, if Departmental reemployment is applicable, the names must be contacted and cleared to accompany the Request for Personnel Action to extend the existing 12-month limited-term appointment.